THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No. 15998 of 1999

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Dated: 17.10.2005

Between:

Parimi Venkata Subba Rao,

S/o. Seetharamaiah, Aged about 50 years,

Resident of Pedamamidipalli Village,

Palakollu Mandal, W.G. District.

..... PETITIONER

AND

The District Collector,

West Godavari District, Eluru

& 2 others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE V.V.S.RAO

–

WRIT PETITION No. 15998 of 1999

ORDER:

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The petitioner claims to be in possession of land admeasuring Ac.1.66 cents in R.S.No.7/3 of Pedamamidipalli Village, Palakollu Mandal, West Godavari District. He obtained a lease of the said land from Sri Subrahmanyeswara Swami Devasthanam. Alleging that the respondents visited and took measurements of the land with an intention to assign the said land to the landless poor persons, he filed the present writ petition.

This Court, while issuing notice before admission, ordered that the petitioner shall not be dispossessed, except in accordance with law. Subsequently, the matter was admitted on 18.02.2000.

The respondents have not filed any counter affidavit. Be that as it is, even according to the petitioner, he is a lessee of Sri Subrahmanyeswara Swami Devasthanam (not a party to the writ petition). Therefore, after coming into force of Section 82 of the A.P.Charitable & Hindu Religious Institutions and Endowments Act, 1987, the lease in favour of the petitioner is cancelled, and the petitioner's remedy is to approach the jurisdictional Assistant Commissioner of Endowments, and seek a declaration for claiming benefit under Section 82 of the said Act. In this writ petition, no relief can be granted.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

17-10-2005

vs